



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert J. Small et al.

Confirmation No: 7752

Application No.: 10/619,708

Art Unit: 1755

Filed: July 14, 2003

Examiner: M. Marcheschi

For: **CATALYTIC COMPOSITION FOR
CHEMICAL-MECHANICAL POLISHING,
METHOD OF USING SAME, AND
SUBSTRATE TREATED WITH SAME**

Attorney Docket No.: 063254-5004-US
(formerly CHEM.004US2)

TERMINAL DISCLAIMER FEE

U.S. Patent and Trademark Office
Randolph Building – Customer Service Window
401 Dulany Street
Alexandria, Virginia 22314
MAIL STOP - AF

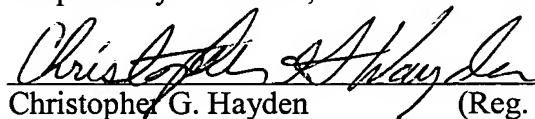
Sir:

Attached hereto is a Terminal Disclaimer. The fee for this Disclaimer is believed to be **\$130.00**. Please charge the required fee, or any additional fee deemed necessary, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Respectfully submitted,

June 24, 2005

Date

 44,750
Christopher G. Hayden (Reg. No.)

MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 739-3000
Facsimile: 202-739-3001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert J. Small et al.

Confirmation No: 7752

Application No.: 10/619,708

Art Unit: 1755

Filed: July 14, 2003

Examiner: M. Marcheschi

For: **CATALYTIC COMPOSITION FOR
CHEMICAL-MECHANICAL POLISHING,
METHOD OF USING SAME, AND
SUBSTRATE TREATED WITH SAME**

Attorney Docket No.: 063254-5004-US
(formerly CHEM.004US2)

TERMINAL DISCLAIMER

U.S. Patent and Trademark Office
Randolph Building – Customer Service Window
401 Dulany Street
Alexandria, Virginia 22314
MAIL STOP - AF

Sir:

Your Petitioner, **Christopher G. Hayden, Reg. No. 44,750**, represents that he is Of Counsel in the law firm of Morgan, Lewis & Bockius LLP, Customer No. 009629. A copy of the power of attorney for U.S. Patent Application No. 10/619,708 is attached.

Your Petitioner states that **EKC Technology, Inc.** was the Assignee of the entire interest in and to U.S. Patent Application No. 10/619,708, which is a continuation of application 10/074,757, by virtue of an assignment filed on August 18, 2003, at Reel 014399, Frame 0048. Your Petitioner states that **EKC Technology, Inc.** was the Assignee of the entire interest in and to Application No. 10/393,542 by virtue of an assignment filed August 18, 2003, at Reel 014399, Frame 0048. Your Petitioner states that **EKC Technology, Inc.** was the Assignee of the entire interest in and to U.S. Patent Application No. 10/361,822, by virtue of an assignment filed June 10, 2003, at Reel 014159, Frame 0769. Your Petitioner states that he has diligently investigated the facts, and has found that ownership of all of the above applications, and of patents issuing therefrom, had been transferred from **EKC Technology, Inc.** to **DuPont Air Products Nanomaterials L.L.C.** on April 27, 2004.

Your Petitioner hereby confirms that he has reviewed the Assignment and, to the best of his knowledge and belief, title is in the Assignee seeking to take action in this matter and that he is empowered to act on behalf of **EKC Technology, Inc.** and also on behalf of **DuPont Air Products Nanomaterials L.L.C.**

06/27/2005 EAREGAY1 00000097 500310 10619708

02 FC:1814 130.00 DA

1-WA/2412100.1


Petitioner hereby disclaims the terminal part of any patent granted on Application No. 10/619,708 which would extend beyond the last expiration date of any patents which may issue on Application Nos. 10/393,542 and 10/361,822, and hereby agrees that any patent granted on Application No. 10/619,708 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to Application Nos. 10/393,542 and 10/361,822 and any patents granted on Application Nos. 10/393,542 and 10/361,822.

Petitioner further agrees that this Agreement is to run with any patent granted on the above-identified application(s) and is to be binding upon the grantee, its successors and assigns. Petitioner does not disclaim any terminal part of any patent granted on Application No. 10/619,708 prior to the expiration date of the full statutory term of any patents granted on Application Nos. 10/393,542 and 10/361,822 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 24th day of June, 2005.

For EKC Technology, Inc. and
For DuPont Air Products Nanomaterials L.L.C. by


Christopher G. Hayden, Reg. No. 44,750

MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 739-3000
Facsimile: 202-739-3001